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CITY COUNCIL MINUTES

Tuesday, November 18, 2008

The Beloit City Council met in regular session on November 18, 2008 in the Council Chambers. Mayor Rebecca Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Pat Struble, Bill Foreman, Craig Cousland, Rick Brown, James Crowley, and Tom Maxwell. Also present were City Administrator Doug Gerber, City Attorney Harry Gantenbein and Assistant to the City Administrator Stacy Thompson. Councilors Denis Shumate and Tom Naasz were absent.

Department heads in attendance were Murray McGee and Caite Kendrick.

Councilor Maxwell gave the invocation and the Pledge of Allegiance was recited.

Mayor Koster thanked Councilor Cousland for filling in for her at the last meeting and Councilor Shumate for giving the welcome at the League of Kansas Municipalities League Supper. She also congratulated Jerry Blass on 40 years of service with the City.

Councilor Maxwell thanked all of those involved with the Veteran's Day parade. Councilor Brown felt he should have been notified when there was a water line break at the Water Plant. Councilor Foreman feels that staff should handle issues like the water line break and does not need to be notified.

City Attorney Gantenbein had nothing to report.

City Administrator Gerber addressed Councilor Brown's concerns by explaining that it was a chaotic day and he notified Mayor Koster by phone and other Councilors by email, but did not get everyone contacted. Each of the Councilors was given a written update regarding the Water Plant. The Council was also given an updated resolution on the walking trail that included the cost estimates that staff received that day. There were plans to get a Council picture for the new website, but that will be done when the entire Governing Body is present. Youth Councilors Kylie Miller, Jessica Hake, Amber Engelbert, Rachel Waddell, and Cody Hanel were introduced.

Code Enforcement Officer Chris Jones gave an update on unfit structures. He informed the Council that a letter would be sent to the Doziers giving them one last chance to respond. He received an email from Jerry Dean who requested more time. The Council received a copy of this email and staff will work with him. Ron Boden was present to give an update on his property. The original plan was to have an engineer look at the wall that is falling onto the

neighboring building, but Boden has decided to remove the wall. Roof protection will be put on the building next door during demolition. Koster informed Boden that she appreciates him keeping the Council informed. Gantenbein questioned him on his plans to start and complete the project. Boden explained that the project has already been started and he still hopes to finish in the spring. Staff will continue to work with Boden on this project.

Mayor Koster asked for comments from the public. Mike Cooper returned from a Kansas Association of Counties meeting and wanted the Council to be aware that good things are being said about Beloit. David Chase requested that the Council remove Mike Cooper from the Planning Commission. He gave a copy of his complaint and a video tape to Mayor Koster.

The Consent Agenda consisted of the minutes of the November 4, 2008 City Council Meeting, Appropriations 11B, and Resolution No. 25-2008 Walking Trail. Gerber explained that this is truly a community project that was initiated by several community members. Councilor Cousland questioned what kind of maintenance would be required for a walking trail. The City would be responsible for such things as spraying for weeds, replacing lights, and patching the trail if needed. The City has already received several letters of support for this project. A motion was made by Councilor Foreman and seconded by Councilor Struble to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Foreman, Struble, Brown, Crowley, Maxwell, and Cousland. Nays: None.

Staff recommended the approval of the Memorandum of Understanding (MOU) for the Mitchell County Community Fund. The MOU states that the Mitchell County Economic Development Fund will be used to promote economic development and provide financial assistance to the communities in and around Mitchell County. A motion was made by Maxwell and seconded by Crowley to approve the MOU and appoint Gerber as the City's representative to the advisory board. Motion carried 6-0.

A motion was made by Cousland and seconded by Struble to approve the hiring of David Baird as a K-9 Officer at Grade 23, Step 2. Mr. Baird was present. Motion carried 6-0.

A motion was made by Maxwell and seconded by Crowley to approve the hiring of Michel Wilson as a Police Officer at Grade 22, Step 1. Mr. Wilson was present. Motion carried 6-0.

A motion was made by Struble and seconded by Maxwell to recess into an executive session for Preliminary Consideration



of Specific Personnel Matter of Non-Elected Personnel for a period of twenty five minutes. The session is to include the Governing Body, City Administrator, and the City Attorney. Motion carried 6-0. The session began at 7:34 p.m. and ended at 7:59 p.m. No motions or decisions were made.

A motion was made by Foreman and seconded by Struble to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of ten minutes. The session is to include the Governing Body, City Administrator, and City Attorney. Motion carried 6-0. The session began at 8:00 p.m. and ended at 8:10 p.m. No motions or decisions were made.

A motion was made by Maxwell and seconded by Crowley to recess into an executive session for Attorney-Client Privileged Information for a period of fifteen minutes. The session included the Governing Body, the City Administrator, and the City Attorney. Motion carried 6-0. The session began at 8:14 p.m. and ended at 8:29 p.m. No motions or decisions were made.

A motion was made by Struble and seconded by Crowley to adjourn the meeting. Motion carried 6-0. The meeting ended at 8:30 p.m.

The work session began at 8:38 p.m. Present were Mayor Koster, Councilors Struble, Cousland, Crowley, Maxwell, and Foreman. Also present were City Administrator Gerber, City Attorney Gantenbein and Assistant to the City Administrator Thompson. Councilors Brown, Shumate, and Naasz were absent.

Department Head present was McGee.

Correspondence and Staff reports consisted of the October Community Development Report, the October Police Reports, a Municipal Leadership Academy (MLA) Schedule, Library Grant Information, a letter from Mitchell County regarding new trash charges, Airport Environmental Assessment information, and a Utility Thank You. Gerber commented that if an MLA course looked valuable, staff could make arrangements for any Councilor who was interested in attending. A copy of the Library grant information was given to Library Director Pat Heidrick. The goal of the grant is to bridge the gap between cities and libraries. Brenda Shultz from the Library Board was in attendance and noted they would do what they could to make the grant happen. Councilor Maxwell wondered if City employees were paid to help to help serve in the color guard at funerals if their service was requested. Gerber said they were, but that there have been talks that the VFW would like the City to handle it all of the time. Maxwell is not in favor of the City taking over, but did think employees should be paid. He also commented on how nice the flags looked for Veterans Day and liked the addition of the service flags.

City Attorney Gantenbein had nothing to report.

Gerber informed the Council that a letter was received from the Kansas Department of Transportation informing the City that they are stopping state funded transportation project "lettings" at this point. However, the City also got a letter regarding the continuance of the K-14 project which has a 2010 "let" date. Staff will proceed with the K-14 paperwork. He also informed the Council that in the future they will formally be presented with quotes to fix the roof above the Economy Shop.

John Divine was in attendance to track the progress the Council has made on the goals that were set at the Council Retreat. The Council believes they are on track with the goal of quality and quantity of water. The Council will be touring the water plant at a future meeting to better understand the process so they can make an informed decision when options are presented. As part of the discussion for improving Council and Staff relationships, Divine suggested the Council make a task force to help them in writing up the roles of the Council. The Council felt a joint venture Library was making slow progress. The final goal discussed was to have affordable housing available in Beloit. Staff is working with others in the community to come up with a program that will meet the needs of Beloit. Divine will be back next year to check in on the continued progress of these goals. Gantenbein mentioned that he had looked at the duties of the Mayor and the City Code spells out those duties according to State Statute. He will make that information available to the task force.

The Council reviewed the progress on the City's new website. Councilor Struble questioned whether website designer Kevin Marozas will do upkeep on the site once it is up and running. Gerber explained that at this time that is something staff will do, but there is potential to look for partners in the community that would all share an employee who could do website and technology maintenance.

The Council reviewed the Kansas Open Meetings Act (KOMA) and the Kansas Open Records Act (KORA). The definition of a meeting has been changed. For the City of Beloit, it now takes 5 Councilors to constitute a meeting. The Council also discussed "serial meetings." Gerber handed out the City's policy and checklists that are used as guidelines to ensure KOMA and KORA are followed.

The work session ended at 9:38 p.m.

REBECCA J. KOSTER, Mayor

ATTEST:

KERRY BENSON, Director of Finance/City Clerk